

**REMARKS**

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-2, 4-11, 13-17, 19-23 are pending in the application. Claims 3, 12, and 18 have been cancelled without prejudice or disclaimer. Independent claims 1, 11 and 17 have been amended to include claims 3, 12, and 18, respectively. Claims 5, 6, 13, 14, and 19 have been revised to better define the claimed invention in view of the changes made to the independent claims. New claims 21-23 have been added to provide Applicants with the scope of protection to which they are believed entitled. The new claims find solid support in at least the original drawings. No new matter has been introduced through the foregoing amendments.

The obviousness rejection relying on *Rasmussen* (U.S. Patent Application Publication No. 2004/0053699) in view of *Koizumi* (U.S. Patent No. 5,452,025) is believed overcome in view of the above amendments.

In particular, the *Koizumi* reference appears to disclose (Figs. 2, 5) a TV set 1 in which speakers 3 are disposed rearward of a screen 2 and the sounds emitted by speakers 3 are transmitted forward by sound reflecting walls 11. The Examiner proposes to combine the speaker arrangement of *Koizumi* with the gaming machine of *Rasmussen* to arrive at the claimed invention. Specifically, with respect to claims 3, 12 and 18, which are directed to the increasing height or the trapezoidal shape of the sound transmitting passages, the Examiner bases the holding of obviousness on the allegation that the specification does not disclose whether the claimed increasing height or trapezoidal shape of the sound transmitting passages serves any stated purpose or solves any particular problem.

Applicants respectfully traverse the Examiner's rationale as being improper, at least,

because a *prima facie* case of obviousness has not been established. The Examiner has not presented any evidence that would have led a person of ordinary skill in the art to modify the prior art device to arrive at the claimed invention. In that regard, as has been held repeatedly by the Board of Patent Appeals and Interferences, the mere (arguable) fact that a difference (between the teachings of the prior art and the claimed subject matter) does not solve any recognized problem does not, *ipso facto*, make that difference obvious under 35 U.S.C. 103. The Examiner is kindly asked to consult the Supervisory Primary Examiner to confirm Applicants' position on this point. Copies of several decisions by the Board are enclosed herewith for the Examiner's information. See, e.g., the framed text at pages 9-10 of *Exhibit A*, page 11 of *Exhibit B*, and page 8 of *Exhibit C*.

If the Examiner sustains the initial position that a claim feature is obvious merely because it does not serve any stated purpose or solve any particular problem, the Examiner is kindly asked to provide legal authority for his holding.

In addition, Applicants respectfully submit that a person of ordinary skill in the art would understand that the claimed increasing height or trapezoidal shape of the sound transmitting passages provides numerous advantages over the prior art, especially *Koizumi*.

In an aspect, it has been observed that gaming machines installed in a game hall are often tempered with by inserting a jig, such as a wire, into the sound transmitting passages. Thus, by making the sound transmitting passages to be trapezoidal in shape or to have an increasing height as presently claimed, it will be much more difficult to tamper with the gaming machines via the sound transmitting passages. As a result, gaming machine security/integrity can be enhanced.

In a further aspect, the claimed increasing height or trapezoidal shape of the sound transmitting passages would facilitate channeling the emitted sound towards the front face of the gaming machine's cabinet with low or insignificant amplitude attenuation. Thus, by making the sound transmitting passages to be trapezoidal in shape or to have an increasing height as presently

claimed, the generated sounds can be transmitted to the player at low loss. As a result, less powerful speakers can be used to reduce costs and/or gaming experience can be enhanced.

In yet another aspect, the interior space of the gaming machine's cabinet can be used more efficiently. In particular, there are numerous devices that must be housed within the cabinet of a gaming machine, such as bill validator, coin validator, coin hopper, bill./coin collector etc. Thus, by making the sound transmitting passages to be trapezoidal in shape or to have an increasing height as presently claimed, any space saved by the claimed shape of the sound transmitting passages can be efficiently used to house other devices and/or provides clearances necessary for maintenance, service, heat dissipation of such devices etc.

It should be now apparent that the claimed invention of claims 3, 12, 18 (now amended independent 1, 11 and 17, respectively) is not obvious over the applied art of record which clearly fails to teach or suggest the claimed increasing height or trapezoidal shape of the sound transmitting passages. The claimed invention also provides numerous advantages which are not deemed obtainable in the applied art of record. Accordingly, Applicants respectfully submit that the amended independent claims and the respective dependent claims are all patentable over the applied references.

New claim 21 is also patentable over the applied references because the references, especially *Koizumi*, do not fairly teach or suggest that the sound transmitting passages are substantially parallel to each other throughout entireties thereof from the respective sound generating devices to the respective sound generating holes. As can be seen in Fig. 2 of *Koizumi*, the sound transmitting passages (lines A, B) are not parallel. The non-parallel arrangement of the sound transmitting passages is a requirement of *Koizumi* as it allows the emitted sounds to be converged towards the viewer. Thus, *Koizumi* effectively teaches away from the claimed parallel sound transmitting passage feature.

New claims 22-23 are also patentable over the applied references because the references, especially *Koizumi*, do not fairly teach or suggest that the left and right side walls of each of the sound transmitting passages are substantially parallel to each other throughout entireties thereof from the respective sound generating device to the respective sound generating hole. As can be seen in Fig. 2 of *Koizumi*, the left and right walls of each sound transmitting passage are not parallel to one another. For example, the left sound transmitting passage in Fig. 2 of *Koizumi* has an angled left wall and a curved right wall, rather than two parallel walls as presently claimed.

New claims 21-23 are thus patentable not only for the reasons advanced with respect to the respective independent claims but also on their own merits since these claims recite features neither disclosed, taught nor suggested by the applied art.

Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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